

FILED

JUN 18 2013

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS
EAST ST. LOUIS OFFICE

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

| | | |
|---------------------------|---|----------------------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | CRIMINAL NO. <u>13-30117-MJR</u> |
| Plaintiff, |) | |
| |) | Title 21 |
| vs. |) | United States Code, |
| |) | Section 841(a)(1), and, |
| JAMES K. FOGARTY, |) | Title 18 |
| |) | United States Code, |
| Defendant. |) | Section 922(g)(3) |

INDICTMENT

THE GRAND JURY CHARGES:

COUNT 1

POSSESSION WITH INTENT TO DISTRIBUTE COCAINE

On or about March 8, 2013, in St. Clair County, Illinois, within the Southern District of Illinois, the defendant,

JAMES K. FOGARTY,

knowingly and intentionally possessed with intent to distribute Cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1).

COUNT 2

UNLAWFUL USER OF CONTROLLED SUBSTANCE IN POSSESSION OF FIREARMS

On or about the 22nd day of May, 2013, in the Southern District of Illinois, the defendant,

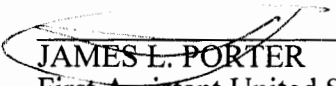
JAMES K. FOGARTY,

then being an unlawful user of a controlled substance, as defined in 21 U.S.C. Sec. 802, and then

being addicted to a controlled substance, as defined in 21 U.S.C. Sec. 802, did knowingly possess in and affecting interstate commerce one or more firearms, said firearms having been shipped and transported in interstate commerce; in violation of Title 18, United States Code, Section 922(g)(3).

A TRUE BILL

FOKPEPERSON


JAMES L. PORTER

First Assistant United States Attorney


STEPHEN R. WIGGINTON

United States Attorney

Recommended Bond: \$10,000,000 Unsecured